
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

JOHN ELIAS SCOTT,

Plaintiff,

v.

KEITH CONLEY, ANDREA PENA, ALPINE
SCHOOL DISTRICT, AND EAGLE
VALLEY ELEMENTARY SCHOOL,

Defendants.

**MEMORANDUM DECISION AND
ORDER ADOPTING REPORT &
RECOMMENDATION**

Case No. 2:15-CV-371-DN-PMW

District Judge David Nuffer

The Report and Recommendation¹ issued by United States Magistrate Judge Paul M. Warner on July 18, 2016 recommends that: all claims against Eagle Valley Elementary School be DISMISSED WITH PREJUDICE and that Eagle Valley Elementary be dismissed from the action. Additionally, it is recommended that claims under [18 U.S.C. §§ 241](#) and 242; claims for malicious prosecution; and claims against any entity under [42 U.S.C. §§ 1981](#), 1983, and 1985 be DISMISSED WITH PREJUDICE. It is further recommended that Plaintiff Scott be given leave to file an amended complaint that addresses the substantive defects in the remaining causes of action of the original complaint within twenty-one (21) days of this order.

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of service pursuant to [28 U.S.C. § 636](#) and [Fed. R. Civ. P. 72](#). As of the date of this Order, no party filed written objections to the Report and Recommendation as provided by rules of court. Therefore, the analysis and conclusion of the magistrate judge are accepted and the Report and Recommendation is adopted.

¹ [Docket no. 28](#), filed July 18, 2016.

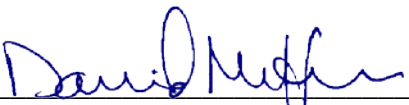
IT IS HEREBY ORDERED that the Report and Recommendation is ADOPTED and all claims against Eagle Valley Elementary School are DISMISSED WITH PREJUDICE and Eagle Valley Elementary is dismissed from the action.

IT IS FURTHER ORDERED that the following claims are DISMISSED WITH PREJUDICE: (1) claims under [18 U.S.C. §§ 241](#) and 242, (2) claims for malicious prosecution, and (3) claims against any entity under [42 U.S.C. §§ 1981](#), 1983, and 1985.

IT IS FURTHER ORDERED that Plaintiff Scott is granted leave to file an amended complaint that addresses the substantive defects in the remaining causes of action of the original complaint within twenty-one (21) days of this order. Failure to do so will result in dismissal of this case with prejudice.

Signed August 11, 2016.

BY THE COURT



District Judge David Nuffer